

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

BRYAN CARY,

Plaintiff,

v.

TIMOTHY MOX, ET AL.,

Defendants.

Case No. 17-12862

SENIOR U.S. DISTRICT JUDGE  
ARTHUR J. TARNOV

U.S. MAGISTRATE JUDGE  
MONA K. MAJZOUB

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**ORDER ADOPTING REPORT AND RECOMMENDATION [65]; DENYING PLAINTIFF'S  
MOTION FOR SUMMARY JUDGMENT [50]; GRANTING DEFENDANT'S MOTION TO  
DISMISS [52]**

On August 22, 2017, Plaintiff Bryan Cary filed this prisoner civil rights action pursuant to 42 U.S.C. § 1983 against Defendants Corrections Officer Timothy Mox, Special Activities Coordinator David Leach, Director of the Michigan Department of Corrections ("MDOC") Heidi Washington, and the Deputy Director of MDOC.<sup>1</sup>

Plaintiff filed a Motion for Summary Judgment [50] on May 25, 2018. Defendant Mox filed a Motion to Dismiss [52] on June 6, 2018.

On January 22, 2019, the Magistrate Judge issued a Report and Recommendation ("R&R") [65] recommending that the Court deny Plaintiff's

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<sup>1</sup> The Court dismissed Defendants Leach, Washington, and Deputy Director on September 14, 2018. [Dkt. #61].

Motion for Summary Judgment [50] and grant Defendant's Motion to Dismiss [52].

Neither party has filed an objection to the R&R.

The Court having reviewed the record, the R&R [65] is hereby **ADOPTED** and entered as the findings and conclusions of the Court.

Accordingly,

**IT IS ORDERED** that Plaintiff's Motion for Summary Judgment [50] is **DENIED**.

**IT IS FURTHER ORDERED** that Defendant's Motion to Dismiss [52] is **GRANTED**.

**SO ORDERED.**

Dated: February 20, 2019

s/Arthur J. Tarnow

Arthur J. Tarnow

Senior United States District Judge